

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**RYAN FREITAG,**

**Defendant.**

**8:12CR156**

## ORDER

This matter is before the court on the defendant's motion to continue trial [51] due to a scheduling conflict. Counsel also needs additional time to conduct an investigation. The court finds good cause being shown and the trial will be continued. The defendant has complied with NECrimR 12.1(a).

**IT IS ORDERED** that the motion to continue trial is granted, as follows:

1. The jury trial now set for January 29, 2013 is continued to **April 2, 2013.**

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and April 2, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED January 9, 2013.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**